



Entered on Docket  
August 23, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE  
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR  
Chapter 11

**Order Sustaining Second Omnibus  
Objection Of USACM Trust To Proofs Of  
Claim Based In Whole or In Part Upon  
Investment In The Harbor Georgetown  
Loan**

Hearing Date: July 26, 2011  
Hearing Time: 1:30 p.m.

The Court having considered the "Second Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Harbor Georgetown Loan." ("Harbor Georgetown Loan") [DE 8493] (the "Objection"); the Court having heard the Objection on July 26, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed, the Court noting on the record that the disallowance of the Claims listed on Exhibit A does not affect the direct lenders' right to

1 repayment by the borrower or from the collateral securing the Harbor Georgetown Loan;  
2 and good cause appearing:

3 **IT IS ORDERED** that:

4 1. The Objection [DE 8493] is sustained; and

5 2. The claims listed on **Exhibit A** attached, are disallowed to the extent those  
6 claims are based upon an investment in the Harbor Georgetown Loan.

7 PREPARED AND RESPECTFULLY SUBMITTED BY:

8 **LEWIS AND ROCA LLP**  
9

10 By /s/ John Hinderaker

11 Robert M. Charles, Jr.

12 John Hinderaker (*pro hac vice*)

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17 *Attorneys for USACM Liquidating Trust*  
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## LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

\_\_\_\_\_ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

\_\_\_\_\_ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: \_\_\_\_\_

\_\_\_\_\_ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:

LEWIS AND ROCA LLP

By: /s/ John Hinderaker.

Attorneys for USACM Liquidating Trust

# # #

**USACM Trust  
Harbor Georgetown Loan  
Multiple Loan Claims**

<b>Claim</b>	<b>Date Claim was Filed</b>	<b>Name</b>	<b>Address</b>	<b>Total Claim Amount Relating to the Harbor Georgetown, LLC Loan</b>	<b>Approximate Amount Subject to Objection Because it Relates to an Investment In the Harbor Georgetown, LLC Loan</b>
10725-02366	1/16/2007	Al-Awar Living Trust Dtd 4/05/01	Adib M & Ellen A Al-Awar Ttees 1330 Burro Ct Gardnerville, NV 89410	3,615,913.62	50,000.00
10725-02431	1/11/2007	Brines Revoc Fam Trust Dtd 11/5/94, Michael & Cindy	Michael R & Cindy G Brines Ttees 4935 El Sereno Ave La Crescenta, CA 91214-3018	771,119.58	50,000.00
10725-00098	8/15/2006	Carollo Jt Ten, Robert & Beverley	Beverly Carollo C/O Morse & Mowbray 5607 Gateway Rd Las Vegas, NV 89120 and 300 South First Street, Suite 1400 Las Vegas, NV 89101	100,000.00	50,000.00
10725-00092	8/9/2006	Corison, James	1427 Kearney Street St. Helena, CA 94574	1,023,000.00	50,000.00
10725-02006	1/10/2007	David A Gean Revocable Trust Dtd 4/3/92	C/O Marsha Kendall Trustee 6615 E Pacific Coast Hwy #260 Long Beach, CA 90803-4228	511,785.96	100,000.00
10725-02334	1/13/2007	Davis Family Trust	C/O Joseph Davis & Marion Sharp Co-Trustees 3100 Ashby Ave Las Vegas, NV 89102-1908	1,500,000.00	50,000.00
10725-02330	1/13/2007	Davis, Todd	360 W 55Th St Apt 1G New York, NY 10019	1,150,000.00	100,000.00
10725-02356	1/16/2007	Denise F Fager Revocable Trust Uad 2/28/03	Denise F Fager Ttee 23741 Brisbane Bay Dana Point, CA 92629	1,327,564.06	100,000.00

**EXHIBIT A**

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**USACM Trust  
Harbor Georgetown Loan  
Multiple Loan Claims**

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10725-02031	1/11/2007	Freda Newman Trust Dtd 7/26/84	Freda Newman Trustee C/O Daniel Newman 125 Elysian Dr Sedona, AZ. 86336	467,009.44	50,000.00
10725-02277	1/12/2007	Gale Gladstone-Katz Revocable Trust	Jan Logan, Trustee 8405 Mill Station Road Sebastopol, CA 95472	1,354,118.10	75,000.00
10725-01541	12/7/2006	Graham Family Trust Dtd 10/26/78	Robin B & Celia Allen Graham Ttees 1460 Twinridge Rd Santa Barbara, CA 93111-1223	503,808.00	50,000.00

**EXHIBIT A**

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